

**AI Index Number: AFR 19/3884/2016**

## **Central African Republic: Make Justice a Priority**

### *Joint Civil Society Appeal to the new President*

The undersigned 21 international and Central African human rights organizations call on the new President, Faustin-Archange Touadéra to make the fight against impunity for grave international crimes a top priority for his government.

President Touadéra was sworn in on March 30, 2016, as the fourth democratically elected president since the country's independence in 1960. During the electoral campaign, the presidential candidates, including President Touadéra, confirmed the importance of creating the conditions for dialogue between communities, of breaking with past violence, and of holding accountable those responsible for serious crimes.

As the president has now taken office, it is time to put these words into action and to take concrete steps toward delivering justice.

The May 2015 Bangui Forum on Reconciliation clearly showed that the people of the Central African Republic want to turn the page on impunity. The forum rejected amnesties and recommended several accountability mechanisms. The transitional government of Catherine Samba-Panza paved the way toward justice, including by referring the situation in the Central African Republic since August 2012 to the International Criminal Court (ICC) and passing a law creating a Special Criminal Court within the national justice system to complement the work of the ICC.

The Special Criminal Court will be composed of international and national magistrates and staff, and is mandated to investigate and prosecute grave human rights violations committed since 2003. This combination of justice mechanisms is an important innovation in the field of international justice. It could set an important precedent for other situations if implemented successfully.

Both the ICC and the Special Criminal Court are needed given the scale and gravity of international crimes committed in the Central African Republic over the past 13 years and the current weakness of the national justice system. During the last crisis that engulfed the country in 2012, armed groups known as Seleka and anti-Balaka have committed widespread abuses against civilians, including killings, sexual violence, and destruction of private, public and religious properties, causing mass displacement. Those responsible for these crimes have not yet been brought to justice.

The Central African Republic is still fragile, and vital work is needed to rebuild the state. Civilian protection, demobilizing armed groups, strengthening the ordinary justice system and the rule of law, as well as social and economic recovery are just some of the enormous challenges lying ahead for President Touadéra. Showing firm determination to bringing to justice those who flout human rights and attack civilians is key to achieving all of these objectives.

Our organizations hope that the new President and government will build on the efforts of the transitional government and carry them further to finally provide justice, truth and reparation to all victims of grave international crimes without discrimination.

In prior [statements](#), our organizations called upon the transitional government, the United Nations, and donors to intensify their efforts to establish the Special Criminal Court. President Touadéra and his newly appointed justice Minister, Flavien Mbata, should now take this work forward and lead the country's efforts to provide justice for the serious crimes committed against the Central African Republic population.

### **Leadership in Making the Special Criminal Court Operational**

After the promulgation of the law on the Special Criminal Court in June 2015, the transitional government took some steps toward the establishment of the court, including allocating a building for it, adopting necessary national decrees for appointing personnel, and establishing a committee to select national magistrates.

But a lot more work is needed to make the court a reality.

In that regard, the establishment by the Central African authorities of a contact group in Bangui of relevant Central African stakeholders could be important in increasing ownership and creating a plan for the implementation of the Special Criminal Court. Such a national group would be a key interlocutor for international partners and would help coordinate necessary international support for the court.

In addition, the government and key international partners, including the United Nations, could set-up a joint [steering committee](#) at the political leadership level to keep progress on track. Continued commitment, as well as financial and logistical support, from international partners, including the United Nations agencies and the peace-keeping mission MINUSCA, will be critical for the success of the Special Criminal Court.

Our organizations call on President Touadéra and his government to take leadership and guide efforts on the Special Criminal Court so that justice can prevail and the Central African Republic can become a model of accountability for grave international crimes.

### **Full cooperation with the International Criminal Court**

On the basis of the referral by the President of the transition Catherine Samba-Panza in April 2014, the ICC prosecutor opened a second investigation in the Central African Republic in September 2014, which is ongoing.

Our organizations call on President Touadéra and its government to provide continued and full cooperation with the ICC to ensure the success of its work. Cooperation should be provided to the Office of the Prosecutor in relation to investigations, as well as to the other organs of the court that carry out other important activities such as the protection of victims and witnesses, facilitation of the participation of victims in ICC proceedings, and outreach to affected communities and other stakeholders.

Bangui, April 21, 2016

### **Signatory organizations**

Action des Chrétiens pour l'Abolition de la Torture et la Peine de Mort (ACAT/RCA)

Amnesty International  
Association des Femmes Juristes de Centrafrique (AFJC)  
Avocats Sans Frontières (ASF)  
Bureau Information des Droits de l'Homme (BIDH)  
Civisme et Démocratie (CIDEM)  
Commission Episcopale Justice et Paix (CEJP)  
Enfants Sans Frontières (ESF)  
Fédération Internationale des Ligues des Droits de l'Homme (FIDH)  
Femme Action et Développement en Centrafrique (FADEC)  
Human Rights Watch  
Lead Centrafrique (Lead)  
Ligue Centrafricaine des Droits de l'Homme (LCDH)  
Mouvement des Droits de l'Homme et Action Humanitaire (MDDH)  
Observatoire Centrafricain des Droits de l'Homme (OCDH)  
Observatoire Centrafricain pour les Elections et la Démocratie (OCED)  
Observatoire pour la Promotion de l'Etat de Droit (OPED)  
Parliamentarians for Global Action (PGA)  
REDRESS  
Réseau des ONGs de Promotion et de Défense des Droits de l'Homme (RONGDH)  
Réseau national de la Jeunesse pour les Droits de l'Homme (RNJDH)